

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

SEP 06 1985

Virginia Electric & Power Company
P.O. Box 26666
Richmond, VA 23261-6666

Attn: Robert J. Williams, Senior Environmental Specialist

Re: Chisman Creek Site, Grafton, VA

Dear Mr. Williams:

The United States Environmental Protection Agency ("EPA") has documented the release or threatened release of hazardous substances, pollutants and contaminants at the above-referenced site, and is considering spending public funds to control these releases. This action will be taken by EPA pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), 42 U.S.C. § 9601 et seq., unless EPA determines that such action will be done properly by a responsible party.

Responsible parties under CERCLA include the current and former owners or operators of a facility from which there is a release or threatened release of hazardous substances, and persons who generated the hazardous substances or who arranged for the disposal or treatment, or transport for disposal or treatment of hazardous substances at such facility. Under CERCLA, 42 U.S.C. § 9607(a), responsible parties may be liable for all monies expended by the government to take necessary corrective action at the site, including planning, investigation and cleanup of the site and enforcement.

In previous conversations and correspondence with EPA, Virginia Electric and Power Company ("VEPCO") was informed that EPA was investigating the Chisman Creek Site and that EPA had identified VEPCO as a potentially responsible party.

EPA is conducting the following studies at the Chisman Creek Site:

1. A Remedial Investigation ("RI") to identify the local hydrogeological characteristics and define the nature and extent of soil, surface water, and ground water contamination at the site; and
2. A Feasibility Study ("FS") to develop and evaluate remedial action alternatives to remove or contain hazardous substances, pollutants and contaminants at the site.

The RI and FS are scheduled for completion in August and October, 1985 respectively. The completed copies will be distributed for public review and comment. Copies will be furnished to VEPCO upon request.

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Before the government expends additional public funds at the Chisman Creek Site, EPA would like to know if VEPCO will undertake the additional measures needed to remove and abate the actual and/or threatened releases of hazardous substances, pollutants and contaminants from the site. Such measures may include, but are not limited to:

1. Designing and implementing the EPA approved remedial option; and
2. Providing any monitoring and maintenance necessary after remedial measures are completed.

VEPCO should notify EPA in writing, within 20 calendar days from the receipt of this letter, of its willingness to conduct or participate in the remedial measures described above. Otherwise, EPA will assume that VEPCO has declined any involvement in the process and will proceed with the appropriate remedial measures needed at the site. EPA may then bring a civil action against VEPCO to recover costs of all response measures taken by the Agency.

VEPCO's letter should indicate the appropriate name, address, and phone number for further contact and include a statement of the types and the extent of the activities it may be willing to undertake. If VEPCO is already involved in discussions with EPA, state, or local authorities or is already engaged in voluntary action, it should continue that activity and report the status of those discussions or the action to EPA in their letter.

Please direct correspondence to:

Carol E. Stokes
CERCLA Remedial Enforcement Section (3HW12)
U.S. Environmental Protection Agency
Region III
841 Chestnut Street
Philadelphia, PA 19107

If VEPCO needs additional information, Ms. Stokes can be reached by telephone at (215) 597-8186.

The factual and legal discussions contained in this letter are intended solely for information purposes. They are not intended to be and cannot be relied upon as final agency position on any matter set forth herein.

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Due to the seriousness of the problem at the site and the attendant legal ramifications, the Agency strongly encourages VEPCO to submit a written response within the time frame specified herein. We hope that VEPCO will give these matters their immediate attention.

Sincerely,

Stephen R. Wasseraug, Director
Hazardous Waste Management Division

cc: Mary Coe, Office of Regional Counsel
Region III

Gene Lucero, EPA - ONPE

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

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Sincerely,

Stephen R. Wassersug, Director
Hazardous Waste Management Division

cc: Mary Coe, Office of Regional Counsel
Region III

Gene Lucero, EPA - OHPE

Stokes/Adrain Barton
7-8188

CONCURRENCES				
SYMBOL	3HW12	3HW12	3RC20	3HW10
SURNAME	STOKES	HODGKISS	COE	SMITH
DATE	7-24-85	8-1-85	7-29-85	9-1-85

EPA Form 1320-1 (12-70)

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